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## **United States Court of Appeals**

FIFTH CIRCUIT OFFICE OF THE CLERK

CHARLES R. FULBRUGE III
CLERK

TEL. 504-310-7700 600 S. MAESTRI PLACE NEW ORLEANS, LA 70130

October 2, 2006

Mr William Putnicki, Clerk Western District of Texas, San Antonio United States District Court Suite G65 655 E Durango Boulevard US Courthouse San Antonio, TX 78206

No. 05-70016 Foster v. Quarterman USDC No. 05:02-CV-301 05:02-CV-301

Dear Mr Putnicki:

Enclosed is a certified copy of an opinion-order entered on October 2, 2006. We have closed the case in this court.

We will forward the record on appeal at a later date.

Sincerely,

CHARLES R. FULBRUGE III, Clerk

By: Joseph Armato, Deputy Clerk

Enclosure

cc: Honorable W Royal Furgeson Jr Ms Tomee Morgan Heining Mr Keith S Hampton